

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 22-23841-CIV-ALTONAGA/DAMIAN

ANA ELVIRA GUILARTE TANTAU,

Plaintiff,

v.

PURE ORGANIC NAIL SALON & SPA INC.,
and FRANCHESKA CANDELARIO,

Defendants.

ORDER SCHEDULING SETTLEMENT CONFERENCE
(BY ZOOM)

THIS CAUSE is before the Court pursuant to an Order of Referral entered by the Honorable Cecilia M. Altonaga, Chief United States District Judge, to conduct a Settlement Conference in this matter. [ECF No. 4].

It is hereby **ORDERED AND ADJUDGED** as follows:

1. A settlement conference is scheduled in this matter for **10:00 A.M., Thursday, February 16, 2023.** The parties shall participate in the settlement conference using Zoom. The Court will email counsel the Zoom meeting ID and password. **ANY PARTY WHO DOES NOT SPEAK ENGLISH MUST BRING A PROFESSIONAL INTERPRETER TO THE SETTLEMENT CONFERENCE.** The plaintiff(s) and the defendant(s) may not share an interpreter.
2. The settlement conference **shall** be attended by all parties, corporate representatives, and their counsel of record. All persons named as individual parties shall be present and each entity shall have a party representative(s) present with **full authority** to bind the party up to and including the full amount claimed as damages plus any applicable attorney's fees and costs.
3. In the event that a monetary settlement would be payable from proceeds of an insurance policy, **a claims professional/ representative(s) from the party's insurer with full and final authority to authorize payment to settle the matter up to the full limits of the party's policy(s), shall be present.** Failure of a party representative **with full and final authority** to make and accept offers of settlement to attend this conference may result in the Court's *sua sponte*

recommendation to the District Judge that sanctions be entered against the offending party.

4. **The parties shall submit written confidential settlement statements to the Court three (3) days prior to the settlement conference.** These statements should not be provided to opposing counsel – only the Court. The confidential settlement statements shall not exceed three (3) pages in length and may include any information that the parties would like the Court to be aware of that is not available to any other party. The statements shall include the status of all settlement discussions between the parties to date. The parties may email their statements to Damian@flsd.uscourts.gov.
5. The Court may reach out to the parties' counsel of record to schedule individual preliminary calls before the settlement conference.
6. Telephonic attendance **will not be considered** without the Court's prior permission, and unless extraordinary circumstances exist.
7. A total of **three (3) hours** will be allotted for the settlement conference. **However, all parties, corporate representatives, and counsel of record should be available for the entirety of the day** on the assumption that settlement discussions may extend past the scheduled conference cut-off time.
8. The conference will not be continued absent extremely compelling circumstances. **Any motion for continuance shall provide alternative dates and times that are available for all parties.**
9. The conference shall be conducted without a court reporter and will not be recorded. All representations and statements made at the conference will remain confidential.
10. In the event that this matter settles prior to the conference, the parties shall immediately advise the Court's chambers.

DONE AND ORDERED in Chambers at Miami, Florida, this 20th day of January, 2023.



MELISSA DAMIAN
UNITED STATES MAGISTRATE JUDGE

Copies to:
Hon. Cecilia M. Altonaga, *Chief U.S. District Judge*
Counsel of Record